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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,821	10/30/2003	Jayant D. Patel	038190/270418	1290
826	7590	03/25/2005	EXAMINER	
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			BRYANT, DAVID P	
			ART UNIT	PAPER NUMBER
			3726	

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/696,821	Applicant(s) PATEL ET AL.	
	Examiner David P. Bryant	Art Unit 3726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 6 is/are rejected.
- 7) ☒ Claim(s) 3-5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>103003</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Guillou (U.S. Patent No. 2,862,732).

Claim 1: Guillou teaches a method of joining and sealing conduits **10**, comprising:

mounting edge trim **15** and a retaining element **7** upon an end of a conduit **10**, wherein the edge trim **15** has a ridge **14** extending outwardly therefrom, such that the retaining element **7** is further from the end of the conduit than the ridge **14** (Figure 2; column 1, lines 18-28);

extending a sleeve **3** between the conduits, such that one end of the sleeve covers the ridge **14** on the edge trim **15**; and

sliding the retaining element **7** over the sleeve **3** and toward the ridge **14**, such that a portion of the sleeve is sandwiched between the retaining element **7** and the ridge **14** (Figure 3; column 3, lines 27-61).

Claim 6: Since the sealing coupling of Guillou is intended for use with high pressure conduits (see column 1, lines 14-16 and lines 29-31), it is evident that the edge trim, sleeve, and retaining element would remain sealed as the conduit experiences deflection due to internal pressure.

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Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Demler, Sr. (U.S. Patent No. 3,674,292).

Claim 1: In Figures 7 and 8, Demler teaches a method of joining and sealing conduits 31, comprising:

mounting edge trim 33 and a retaining element 2' upon an end 32 of a conduit, wherein the edge trim 33 has a ridge 34 extending outwardly therefrom, such that the retaining element 2' is further from the end of the conduit than the ridge 34;

extending a sleeve 1' between the conduits, such that one end of the sleeve covers the ridge 34 on the edge trim 33 (column 4, lines 15-19); and

sliding the retaining element 2' over the sleeve 1' and toward the ridge 34, such that a portion of the sleeve is sandwiched between the retaining element 2' and the ridge 34 (Figure 8; column 4, lines 19-23).

Claim 6: Since the sealing coupling of Demler is intended for use with high pressure conduits (see column 1, lines 33-36), it is evident that the edge trim, sleeve, and retaining element would remain sealed as the conduit experiences deflection due to internal pressure.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Demler, Sr. (U.S. Patent No. 3,674,292) in view of Steimle (U.S. Patent No. 4,221,407).

Demler fails to teach bonding the edge trim to the conduit.

Steimle teaches a method for joining and sealing plastic conduits 11, 12 comprising mounting edge trim 19, 20 onto conduits 11, 12; extending a sleeve 17 between the conduits and over the edge trim; and securing the sleeve 17 to the conduits using clamping bands 18. See Figures 1 and 2. As disclosed in column 2, lines 52-63, the edge trim 19, 20 is bonded to the conduits 11, 12 using a compatible solvent. Steimle discloses that the resulting arrangement "ensures a high strength permanently assembled operation."

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have bonded the edge trim of Demler to the end of the conduit, as taught by Steimle, to ensure a high strength permanently assembled operation.

Allowable Subject Matter

Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David P. Bryant whose telephone number is (571) 272-4526. The examiner can normally be reached on Monday-Thursday (6:30-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David P. Bryant
Primary Examiner
Art Unit 3726

dpb
3/21/05